

California Regional Water Quality Control Board
North Coast Region

Cleanup and Abatement Order No. 98-74

For

Chevron U.S.A. Products Company
and
Tom Brantley

Siskiyou County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. Chevron U.S.A. Products Company (Chevron) previously operated a Chevron brand service station at 12 South Weed Boulevard in Weed (hereinafter the site), until the mid 1980's (Attachment A). Chevron sold the site to Tom Brantley. Tom Brantley has owned and operated the site as a Chevron brand service station from the mid 1980's to the present. Both Chevron and Tom Brantley are hereinafter referred to as the dischargers.
2. The Siskiyou County Health Department reported a large release of gasoline at the site to the Regional Water Board in 1985. Free product was detected at up to 2 feet in thickness, and dissolved gasoline, diesel and benzene were detected in groundwater significantly above water quality objectives. The release was detected during tank removal work performed by Chevron.
3. Cleanup and Abatement Order No. 90-189 was issued to Chevron in September of 1990 to define the extent of contamination and to submit a cleanup plan (Attachment B). Chevron installed groundwater monitoring wells and installed a groundwater extraction system, and began extraction and treatment of free product and dissolved gasoline in groundwater. This system was in partial operation from 1986 to 1997.
4. Free product is present in four groundwater monitoring wells, up to about one inch in thickness during the last groundwater monitoring in July of 1997. Total petroleum hydrocarbons as gasoline are present in groundwater at 58,000 ppb. Total petroleum hydrocarbons as diesel are present in groundwater at 97,000 ppb. Benzene is present in groundwater at 130 ppb. Napthalene is present in groundwater at 390 ppb. The groundwater also contains significant levels of toluene, ethylbenzene, xylenes, 2,4-Dimethylphenol, 2-Methylnapthalene, 2-Methylphenol and Nitrobenzene.
5. The Water Quality Control Plan for the North Coast Region (Basin Plan) was adopted by the Regional Water Board in 1988. The Basin Plan designates beneficial uses of water and includes water quality objectives and receiving water limitations.

6. The site is located in the Shasta River watershed and is adjacent to Boles Creek, a tributary to the Shasta River. Beneficial uses of the Shasta River include:
 - a. municipal and domestic supply
 - b. agricultural supply
 - c. industrial service supply
 - d. industrial process supply
 - e. groundwater recharge
 - f. hydropower generation
 - g. water contact recreation
 - h. non-contact water recreation
 - i. warm freshwater habitat
 - j. cold freshwater habitat
 - k. wildlife habitat
 - l. fish migration
 - m. fish spawning
 - n. commercial and sport fishing
 - o. aquaculture
7. Beneficial uses of areal groundwater include:
 - a. municipal and domestic supply
 - b. agricultural supply
 - c. industrial service supply
 - d. industrial process supply
8. The petroleum discharges to groundwater have caused nuisance and pollution, as defined by Section 13050 of the California Water Code.
9. The dischargers have caused or permitted, cause or permit, or threaten to cause or permit waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, and shall, upon order of the Regional Water Board, clean up the waste or abate the effects of the waste, or in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing clean up and abatement efforts.
10. Chevron has proposed passive intrinsic bioremediation to remediate the soil and groundwater contamination at the site. Regional Water Board staff notified Chevron in a letter dated June 10, 1998 that a passive approach is not acceptable due to 1) proximity to Boles Creek, 2) free product on groundwater and 3) high levels of dissolved gasoline, diesel and semi-volatile constituents in groundwater.
11. This enforcement action is being taken for protection of the environment and to enforce a general standard as set forth in the Basin Plan. Therefore, this enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. seq.) in accordance with Sections 15308 and 15321, Chapter 3, Title 14, California Code of Regulations.

THEREFORE, IT IS HEREBY ORDERED that, Cleanup and Abatement Order No. 90-189 is hereby rescinded except for enforcement purposes and, pursuant to California Water Code Sections 13267 and 13304, the dischargers shall cleanup and abate the discharge and threatened discharge and mitigate nuisance conditions. The following investigation and cleanup tasks shall be completed under the direction of a California registered geologist or registered civil engineer experienced in soil and groundwater pollution investigation and cleanup. All work at the site shall be conducted in accordance with all local ordinances, and all necessary permits shall be acquired.

1. A plan for installation and operation of an engineered soil and groundwater remediation system shall be submitted by July 31, 1998. The plan shall implement best available technology to restore and protect beneficial uses of water by attaining water quality objectives. The plan shall address definition of the vertical extent of soil and groundwater contamination and investigation of the hydrogeologic connection between the groundwater aquifers and Boles Creek.
2. The plan shall be implemented within 30 days from concurrence by the Regional Water Board.
3. The report of completed field work shall be submitted to the Regional Water Board within 120 days from concurrence by the Regional Water Board.
4. The dischargers shall comply with Monitoring and Reporting Program No. 98-74.
5. The dischargers shall submit monthly progress reports describing all actions taken to comply with this order. Monthly reports shall be submitted by the 15th day of the month following the monthly reporting period.

If, for any reason, the dischargers are unable to perform any activity or submit any document in compliance with the schedule set forth herein or in compliance with any work schedule submitted pursuant to this Order and concurred in by the Executive Officer, the dischargers may request, in writing, an extension of time as specified. Extension requests must be submitted at least five days in advance of the due date and shall include justification for the delay. An extension may be granted for good cause, in which case this Order will be revised accordingly.

Ordered by _____

Lee A. Michlin
Executive Officer

June 24, 1998